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THE ANDHRA PRADESH GAZETTE

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PART II - MISCELLANEOUS NOTIFICATIOSN OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

ANDHRA PRADESH STATE WAQF BOARD, VIJAYAWADA

JANAB K.M.SHAKEEL SAFI, S/O K.M.SAFIULLA WHO IS OFFICIATING AS NAIB MUTWALLI RECOGNIZED AS MUTAWALLI AND ITS ATTACHED PROPERTIES U/SEC.42 OF THE WAQF ACT, 1995 OF ANANTAPURAM MANDAL AND DISTRICT.

Read :-
1. Board's Proceedings No.A1/147/ANT/1976, dated:01-06-1985.
2. Representation of Sri K.M.Safiullah, Mutawalli, Jamia Mosque, Anantapuramu District, and Hon'ble Member, A.P. State Waqf Board.
3. Board's Resolution No.049/2018, dated:05-05-2018.

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F.No.B3/01/ATP/2003/Z-IV,- The Waqf institution namely Jamia Mosque situated at Anantapuramu and its attached property is a notified Wakf published in A.P.Gazette, No: 26, dated: 28-06-1962 at serial No. 1133.

In the reference 1st cited, the Board has appointed to Sri K.M.Safiullah as Mutawalli of Jamia Mosque of Anantapuram and its attached institutions Namazkatta Mosque, Arabic School, Masoom Be Makan(Ashoor Khana), Shamsheer Dargah and others on permanent basis.

In the reference 2nd cited, Sri K.M.Safiullah, Mutawalli & Member,

APSWB has stated that many cases are pending in several court and Waqf Tribunal in respect of protection of the Waqf properties against encroachers, bad tenants and defaulters of the Waqf Properties. Further due to old age it is being difficult to attend the courts alone and fight with encroachers

Further, in view of his future retirement he has requested to appoint his son Sri K.M.Shakeel Safi as Mutawalli U/Sec, 42 of Waqf Act, 1995 in respect of Jamia Mosque, Anantapuram and its attached properties along with him, as he is already rendering the services as Naib Mutawalli since many years.

The matter was placed before the Board and the Board has passed Resolution unanimously to recognize the candidature of Sri K.M.Shakeel Safi, S/o Sri K.M.Safiullah who is officiating as Naib Mutawalli as Muthawalli of the subject Waqf institution and its attached properties U/Sec.42 of Waqf Act 1995, vide reference 3rd cited.

Accordingly, Janab K.M.Shakeel Safi, S/o Sri K.M Safiullah who is officiating as Naib Mutawalli recognized as Mutawalli of the subject Waqf institution and its attached properties U/Sec.42 of Waqf Act, 1995 in addition to existing Mutawalli in respect of the subject Waqf institution.

The Mutawalli should discharge the legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rules 20 of A.P. Waqfs Rules, 2000 and should follow the instructions issued by the Board from time to time. He should submit the Accounts, Budget, Income & Expenditure statement, and paid Waqf Fund properly, failing which Section 61 and 64 of the Waqf Act, 1995 will be attracted. Duties mentioned hereunder:

a) To carry out the directions and to implement the orders issued by the Board from time to time.

b) To allow Inspector Auditor Waqfs to verify the accounts, records, deeds, documents, etc. relating to the institution thereof.

c) To discharge all public duties.

d) To do any other Act which is lawfully required to do be or under this Act.

e) Shall render proper and correct accounts of the Institution and

its attached properties and shall not suppress any facts.

f) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year and shall follow the lease procedures envisaged in Section 56 of the Waqf Act and Waqf properties lease rules.

g)Mutawalli is not entitled to expend the Monies of Waqf exceeding 10% of the Net annual Income.

As per Sec. 101 (2) of the Waqf Act, 1995 “Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec. 21 of the Indian Penal Code”. As such, for the illegal act if any, mutawalli will be liable for penal action. As per Sec.3 (ee) defined encroacher, sec. 52-A explain rigorous punishment upto (2) years and Sec.61 speaks penalty and punishment upto (6) months for the lapses / charges shown therein, hence should act carefully delinquency and maintain account scrupulously.

The APSWB reserves its right to modify / cancel / alter / with hold the order at any time without assigning any reasons thereof

Sd/-.,
Chief Executive Officer,
Andhra Pradesh State Waqf Board,
Vijayawada.

Dated : 18-05-2018.

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